

**Notice of Allowability**

Application No.

10/772,524

Applicant(s)

LLOYD, JEFFREY

Examiner

Devon C. Kramer

Art Unit

3683

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment and response filed on 7/17/06.
2. ☒ The allowed claim(s) is/are 1 3-8 10-12 14-17 19 21-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Devon C Kramer  
Primary Examiner  
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### EXAMINER'S AMENDMENT

1) An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 10 line 7, "a variable volume chamber" is changed to --a first variable volume chamber--;

Claim 10 line 8, "a variable volume chamber" is changed to --a second variable volume chamber--;

2) The following is an examiner's statement of reasons for allowance:

In re claim 1, none of the references cited either alone or in combination provide a first and second variable volume chambers pneumatically isolated from each other; a portion of a primary airbag is mounted in contact with an outer surface of a piston air bag such that a change in volume of the first variable volume chamber operates to change a spring rate of the primary airbag in response thereto; and an air supply to direct air independently into the first and second variable volume chambers.

In re claim 10, none of the references cited either alone or in combination provide a primary airbag defining a first variable volume chamber; a piston airbag defining a second variable volume chamber isolated from the first variable volume chamber; the

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piston airbag mounted at least partially within the primary airbag such that a portion of the primary airbag contacts an outer surface of the piston airbag.

In re claim 12, none of the references cited either alone or in combination provide a method of mounting a primary airbag adjacent and pneumatically isolated from a piston airbag such that the piston airbag is located as a rolling surface for the primary airbag, the piston airbag defining a selectively changeable first volume and the primary airbag defining a selectively changeable second volume; independently changing a pressure within the selectively changeable first volume independent of a pressure within the selectively changeable second volume such that the spring rate of the primary airbag changes.

In re claim 15, none of the references cited either alone or in combination provide a piston airbag mounted to a piston support; a primary airbag mounted adjacent the piston airbag such that at least a portion of the primary airbag contacts the piston airbag; a first band and a second band which retain two spaced ends of the piston airbag to an outer surface of the piston support and to define a sealed chamber there between; and a third band which retains the primary airbag to the piston airbag.

IN re claim 16, none of the references cited either alone or in combination provide a primary airbag; a piston airbag mounted at least partially within the primary airbag such that a change in pressure within the piston airbag operates to change a spring rate defined by the primary airbag; and an air supply which independently communicates air to the primary airbag and the piston airbag.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devon C. Kramer whose telephone number is 571-272-7118. The examiner can normally be reached on Mon-Fri 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James McClellan can be reached on (571 )272-6786. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Devon C Kramer  
Primary Examiner  
Art Unit 3683

DK

*Devon* *9/6/06*